IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1224 OF 2006

Parle Pet Pvt. Ltd. & Anr. ... Petitioners

Vs.

The Bombay Municipal Corporation
and Ors. ... Respondents

Mr. K.P. Shreejit i/by Shreejit & Lal for Petitioner.

Ms. Trupti Puranik for R. No. 1.

Mr. M. More, A.G.P. for R.No. 4.

Mr. Birendra Saraf i/by Kishore Thakordas & Co. for R. No. 3.

Mr. G.D. Utangale for R. No. 2.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED: AUGUST 22, 2006

P.C.:

. It is the case of the Petitioners that on account of S.R.A. scheme being carried out the sewerage drain is being affected. Considering that the controversy can be disposed of though respondent No. 3 disputes the existence of any sewarge/municipal drain by issuing the following directions :

(1) The Executive Engineer (SWD) Western suburbs, Zone 3 to hear the Petitioners and Respondent No. 3 and record findings whether there is sewerage drain/municipal drain passing through the area where the S.R.A. scheme is being carried and whether

S.R.A. scheme is blocking the sewerage drain of the B.M.C. If so to issue necessary directions.

. On directions being issued, Respondent No. 2 to ensure that those directions are carried out by directing respondent No. 3 to comply with the directions issued by Respondent No. 1 and on failure to take steps against Respondent No. 3, who is executing the scheme..

. With the above observations, Petition stands disposed of.

(ANOOP V. MOHTA,J.) **(F.I.REBELLO, J.)**